

HOUSE BILL 1307

E4, E1

0lr1244

By: **Delegates Dwyer, Beidle, Kipke, Love, Schuh, and Sophocleus**

Introduced and read first time: February 18, 2010

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Statewide Definition of Criminal Gang Member**

3 FOR the purpose of requiring all law enforcement agencies in the State to define
4 “criminal gang member” as a person whose membership in a criminal gang is
5 proven by certain criteria; and generally relating to criminal gangs.

6 BY adding to

7 Article – Criminal Law

8 Section 9–805

9 Annotated Code of Maryland

10 (2002 Volume and 2009 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article – Criminal Law**

14 **9–805.**

15 **ALL LAW ENFORCEMENT AGENCIES IN THE STATE SHALL DEFINE A**
16 **CRIMINAL GANG MEMBER AS A PERSON WHOSE MEMBERSHIP IN A CRIMINAL**
17 **GANG IS PROVEN BY TWO OR MORE OF THE FOLLOWING:**

18 **(1) SELF–PROCLAMATION;**

19 **(2) ASSOCIATION WITH A COMMON GROUP NAME, INSIGNIA, FLAG,**
20 **OR MEANS OF RECOGNITION OF A GANG;**

21 **(3) ASSOCIATION WITH KNOWN GANGS AND PARTICIPATION IN**
22 **SOME ACTIVITIES OF A GANG;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(4) REGULAR ASSOCIATION WITH GANG MEMBERS AND**
2 **DEMONSTRATED ASPIRATION TO BECOME A MEMBER BY ADOPTION OF THE**
3 **GANG'S STYLE OF DRESS, TATTOOS, HAND SIGNALS, OR SYMBOLS; OR**

4 **(5) PHYSICAL EVIDENCE, INCLUDING PHOTOGRAPHS, WRITTEN**
5 **OR ELECTRONIC CORRESPONDENCE, OR OTHER DOCUMENTATION.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2010.